

REMARKS

Reconsideration of the application in view of the above amendments and following remarks is respectfully requested.

Claims 1, 3-10 and 12-18 were pending in the subject application. Claims 1, 3, 10 and 12 are now cancelled without prejudice to pursue in a future related application. Claims 4-9 are now amended to become independent claims. For each of amended claims 4-8, claim 1 (from which original claims 4-8 depended) has been inserted literally with the exception of the language referring to the particular substituent(s) which is already further defined in claims 4-8. In addition, claims 4-8 have been amended such that Q is NR for consistency with the Examiner's search and examination subgenus. Since claim 9 is directed to specific compounds, its transformation into an independent claim does not require incorporation of claim 1 into amended claim 9. Pharmaceutical composition claims 13, 14, 15, 16, 17 and 18 have been rewritten (and renumbered as new claims 60, 61, 62, 63, 64 and 65, respectively) in a form wherein each refers to the compound of amended claims 4, 5, 6, 7, 8 and 9, respectively. Claims 13-18 have been deleted with the addition of new claims 60-65. No new matter has been added. Therefore, amended claims 4-9 (rewritten in independent form) and new claims 60-65 (with each referencing one of claims 4-9) are now pending in the subject application.

In the Office Action dated June 14, 2007, claims 1, 3, 10 and 12 were rejected. Claims 4-9 and 13-18 were objected to as dependent upon a rejected base claim, but were stated to be allowable if rewritten in independent form as described in the Office Action.

In the Office Action, claims 1, 3, 10 and 12 were rejected under 35 U.S.C. § 103(a) as unpatentable over Grant et al. (PCT Application No. WO 02/12198 A2). It is asserted that based on Grant et al., one of ordinary skill in the art would have been motivated to prepare Applicants' compounds as set forth in claims 1, 3, 10 and 12.

Applicants respectfully disagree. Nevertheless, in order to expedite the claimed subject matter that has been indicated as allowable, claims 1, 3, 10 and 12 have been cancelled without prejudice.

Therefore, this rejection under Section 103(a) has been rendered moot. Reconsideration and withdrawal of the rejection are respectfully requested.

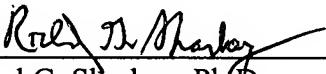
Reply & Amendment to Office Action dated June 14, 2007

Therefore, in light of the amendments and remarks set forth above, Applicants believe that all the Examiner's rejections have been overcome. Reconsideration and allowance of amended claims 4-9 and new claims 60-65 are respectfully requested. If there is any further matter requiring attention prior to allowance of the subject application, the Examiner is respectfully requested to contact the undersigned attorney (at 206-622-4900) to resolve the matter.

The Director is authorized to charge any additional fees due by way of this Amendment, or credit any overpayment, to our Deposit Account No. 19-1090.

Respectfully submitted,

SEED Intellectual Property Law Group PLLC


Richard G. Sharkey, PhD.
Registration No. 32,629

Customer No. 00500